



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,924	10/15/2001	Antonio Nicolini	163-351	4053

7590 06/05/2002

James V. Costigan, Esq.
HEDMAN & COSTIGAN, P.C.
Suite 2003
1185 Avenue of the Americas
New York, NY 10036-2646

EXAMINER

JAKETIC, BRYAN J

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 06/05/2002

#4

Please find below and/or attached an Office communication concerning this application or proceeding.



UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

Dear Sir/Madam:

We regret to inform you that your request for refund dated 04/08/02 in the amount of \$370 covering a fee for application/patent # 09/977,924 cannot be authorized. Please refer to the box checked below for more information.

() Small entity status fee not refundable. The time has expired for refund of this fee. A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for refund of the excess amount are filed within two months of timely payment of the full fee (37 CFR 1.28).

() Application or petition fee not refundable. Money paid by actual mistake or in excess, such as payment not required by law, will be refunded; a mere change of purpose after payment of money, as when a party desires to withdraw an application, an appeal or a request for oral hearing does not entitle the party to a refund (37 CFR 1.26). If any application is filed without the specifying or drawing and the omission is not corrected with the period set, the application will be returned or otherwise disposed of. The fee, if submitted should include The \$130.00 handling fee (37 CFR 1.53)

(X) Other: You request for a refund, claiming small entity is to late. Request should have been made no more than three months after payment

Sincerely,

Jackie Waldo, Head Legal Instrument Examiner
Technology Center 3600
703-308-3902
jackie.waldo@uspto.gov